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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/882,917

Applicant(s)

BATES ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claims Status*

Claims 1-26 are pending. Claims 1-26 are rejected.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 10-13, 15, 18-23 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,044,387 issued to Angiulo et al (hereafter Angiulo).

#### Claim 1:

Angiulo discloses:

receiving a response containing the electronic document comprising at least two frames,  
rendering the electronic document for display [Fig 3, 104, col 5, lines 17-27]

automatically designating one of the at least two frames as a default search frame based on a pre-existing specification of the default search frame, wherein the designation is made irrespective of a listed order of the frames [Fig 3, 110, col 5, lines 27-43]

rendering the electronic document for display; wherein the designated default search frame of the displayed electronic document is available to a user for conducting a search of the searchable text contained in the designated default search frame and wherein, absent a command from the

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user to search a different one of the at least two frames, a user request to perform a search is, by default, automatically initiated in the designated default search frame [col 2, lines 30-35, spell-check or find and replace, col 9, lines 20-30]

Claim 2:

Angiulo discloses wherein the electronic document is a web page wherein the response is received from the Internet and wherein at least the automatically designating and rendering are performed by a browser [col 4, lines 3-15].

Claim 3:

Angiulo discloses wherein automatically designating occurs one of before rendering and after rendering [Angiulo discloses before rendering, Fig 10]

Claim 4:

Angiulo discloses wherein automatically designating occurs without an explicit selection of the default search frame by a user [col 9, lines all files option selected, block 192 Fig 9 builds a list of all files on the web site, block 198 begins opening the files, col 9, lines 1-10].

Claims 6 and 15:

The combination of Ramon and Angiulo discloses the elements of claim 1 as noted above and furthermore, Angiulo discloses wherein automatically designating comprises selecting from the at least two frames a frame previously selected for a content search [Fig 1, col 7, lines 49-58].

Claim 10:

Angiulo discloses:

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parsing a response containing an electronic document formatted with at least two frames each containing searchable content [col 4, lines 3-15].

automatically designating one of the at least two frames as a default search frame based on a pre-existing specification of the default search frame [Fig 9, steps 192, 196 and 198 open file N = 0, first file is opened, col 9, lines 15-25].<sup>1</sup>

Claim 11:

Angiulo discloses wherein automatically designating is performed using information contained in at least one of the electronic document and a data structure stored locally on a machine executing the network navigation program [col 4, lines 3-15].

Claim 12:

Angiulo discloses wherein automatically designating occurs without an explicit selection of the default search frame by a user [col 9, lines all files option selected, block 192 Fig 9 builds a list of all files on the web site, block 198 begins opening the files, col 9, lines 1-10]

Claim 13:

Angiulo discloses wherein the electronic document is a hypertext markup language (HTML) Web page and the network navigation program is a Web browser [col 4, lines 3-35]

Claim 18:

Angiulo discloses rendering the electronic document for display [col 2, lines 30-35, spell-check or find and replace, col 9, lines 20-30]

Claim 19:

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<sup>1</sup> Examiner interprets a default frame to be a first frame as disclosed by Angiulo.

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Angiulo discloses wherein automatically designating occurs one of before rendering or after rendering [Fig 10]

Claim 20:

Angiulo discloses wherein at least automatically designating and rendering are performed by a browser [col 4, lines 3-15]

Claim 21:

Angiulo discloses:

- (i) a format code segment which, when executed by a processor configured with a program, formats the digital document with at least two frames containing searchable content [Fig 3, 104, col 5, lines 17-27]
- (ii) a default search frame code segment which, when executed by the processor, designates one of the two frames as a default search frame based on a pre-existing specification of the default search frame [Fig 9, steps 192, 196 and 198 open file N = 0, first file is opened, col 9, lines 15-25].

Claim 22:

Angiulo discloses wherein the program is a browser and the default search frame code segment is an HTML tag [col 4, lines 3-35]

Claim 23:

Angiulo discloses wherein at least one of the format code segment and the default search frame code segment is hypertext markup language(HTML) [col 4, lines 3-35]

Claim 26:

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Angiulo discloses receiving a request for a text search to be performed and as a result of the automatic designation, initiating the text search in the default search frame as opposed to any of the other at least two frames [Fig 9, steps 192, 196 and 198 open file N = 0, first file is opened, col 9, lines 15-25].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5, 7, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo in view of US Pat No 6,909,837 issued to Unger (hereafter Unger).

Claim 5:

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Angiulo discloses the elements of claim 1 as noted above but is silent regarding parsing the response to locate a default search frame identifier. Unger discloses parsing the response to locate a default search frame identifier [Abstract], Fig 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include parsing the response to locate a default search frame identifier as taught by Unger for the purpose of locating a particular frame such that the frame can be displayed for the convenience of the user [Abstract].

Claim 7:

Angiulo discloses the elements of claim 1 as noted above but is silent regarding selecting from the at least two frames according to an attribute of the at least two frames. Unger discloses selecting from the at least two frames according to an attribute of the at least two frames [commercial, Abstract]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include selecting from the at least two frames according to an attribute of the at least two frames as taught by Unger for the purpose of positively identifying a commercial message such that a limited display of the commercial message can be made during fast-forwarding of the video. [Abstract].

Claim 14:

Angiulo discloses the elements of claim 10 as noted above but is silent regarding parsing the response to locate a default search frame tag. Unger discloses parsing the response to locate a default search frame tag [Abstract], Fig 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include parsing the response



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to locate a default search frame tag as taught by Unger for the purpose of locating a particular frame such that the frame can be displayed for the convenience of the user [Abstract].

Claim 24:

Angiulo discloses the elements of claim 21 as noted above but is silent regarding parsing the response to locate a default search frame tag. Unger discloses parsing the response to locate a default search frame tag [Abstract], Fig 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include parsing the response to locate a default search frame tag as taught by Unger for the purpose of locating a particular frame such that the frame can be displayed for the convenience of the user [Abstract].

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo in view of US Pat No 6,658,626 as issued to Aiken (hereafter Aiken).

Claim 8:

Angiulo discloses the elements of claim 1 as noted above but does not disclose wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames. Aiken discloses wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames [Fig 6, col 17, lines 37-52]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames

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as taught by Aiken for the purpose of selecting the longer document as the first to be searched.

Selecting the longer document as the first to be searched is advisable because the longer document is more involved and complicated and thus may require user input for editing.

Claim 16:

Angiulo discloses the elements of claim 10 as noted above but does not disclose wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames. Aiken discloses wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames [Fig 6, col 17, lines 37-52]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames as taught by Aiken for the purpose of selecting the longer document as the first to be searched. Selecting the longer document as the first to be searched is advisable because the longer document is more involved and complicated and thus may require user input for editing.

Claims 9, 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo in view of US Pat No 5,388,993 issued to McKiel et al (hereafter McKiel).

Claim 9:

Angiulo discloses the elements of claim 1 as noted above but does not disclose highlighting the default search frame. McKiel discloses highlighting the default search frame

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[col 3, lines 40-45, Fig 1, 25]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include highlighting the default search frame as taught by McKiel for the purpose of indicating an activated frame [col 3, lines 40-45]. The skilled artisan would have been motivated to improve the invention of Angiulo per the above for the purpose of assisting the user to identify a newly created frame [col 5, lines 1-10].

Claim 17:

Angiulo discloses the elements of claim 10 as noted above but does not disclose highlighting the default search frame. McKiel discloses highlighting the default search frame [col 3, lines 40-45, Fig 1, 25]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Angiulo to include highlighting the default search frame as taught by McKiel for the purpose of indicating an activated frame [col 3, lines 40-45]. The skilled artisan would have been motivated to improve the invention of Angiulo per the above for the purpose of assisting the user to identify a newly created frame [col 5, lines 1-10].

Claim 25:

The combination of Gamon and Angiulo discloses the elements of claim 21 as noted above but does not disclose highlighting the default search frame. McKiel discloses highlighting the default search frame [col 3, lines 40-45, Fig 1, 25]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Gamon and Angiulo to include highlighting the default search frame as taught by McKiel for the purpose of indicating an activated frame [col 3, lines 40-45]. The skilled artisan would have been motivated to improve the invention of the combination of Gamon and Angiulo per the above for the purpose of assisting the user to identify a newly created frame [col 5, lines 1-10].

### *Response to Arguments*

Applicant's arguments, filed 7/15/2005 with respect to claims 1-26 have been considered and found to be partially persuasive, but are now moot in view above new ground(s) of rejection which are required because of applicant's amendments of the claims.

### *Conclusion*

Applicant's submission of the requirements for the joint research agreement prior art exclusion under 35 U.S.C. 103(c) on 7/15/2005 prompted the new ground(s) of rejection under 37 CFR 1.109(b) presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.02(l)(3). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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*Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022.

The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

August 9, 2005

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**